



H-A-

Sector A

PATENT
Docket No. 399242000900

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on May 17, 2001.

Denise Harmon

DENISE HARMON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Roger de la TORRE, et al.

Serial No.: 09/816,850

Filing Date: March 23, 2001

For: METHOD AND DEVICE FOR USE IN
MINIMALLY INVASIVE PLACEMENT
OF INTRAGASTRIC DEVICES

Examiner: To be Assigned

Group Art Unit: 3739

TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(b) mailed May 5, 2001, attached please find:

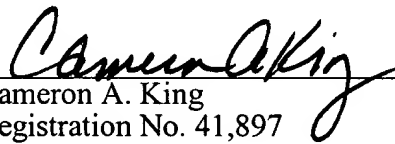
- ☒ A declaration signed by the inventor(s) and the surcharge of \$65.00 as set forth in 37 C.F.R. § 1.16(e). (5 pgs)
- ☒ Copy of Notice to File Missing Parts of Non-Provisional Application (1 page)
- ☒ Prosecution by Assignee and Power of Attorney Under 37 C.F.R. § 3.71 (3 pages)
- ☒ Certificate Under 37 C.F.R. § 3.73(b) (1 page) with copy of Assignment (5 pages)
- ☒ Fee Transmittal Form (1 pg)
- ☒ Check(s) in the amount of \$65.00 for Missing Parts surcharge
- ☒ Other: return receipt Postcard

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 03-1952**. A duplicate copy of this transmittal is enclosed for that purpose.

Respectfully submitted,

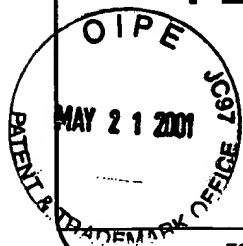
Dated: May 14, 2001

By:


Cameron A. King
Registration No. 41,897

Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-6524
Facsimile: (415) 268-7522

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
FOR FY 2001**

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/816,850
Filing Date	March 23, 2001
First Named Inventor	Roger de la TORRE
Examiner Name	To be Assigned
Group Art Unit	3739
Attorney Docket No.	39924200900

TOTAL AMOUNT OF PAYMENT**(\$65.00)****METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

03-1952

Deposit
Account
Name

Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)**(\$0.00)****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	x	= \$
Multiple Dependent	-3** =	x	= \$

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claims, if not paid	
109	80	209	40	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)**(\$0.00)**

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

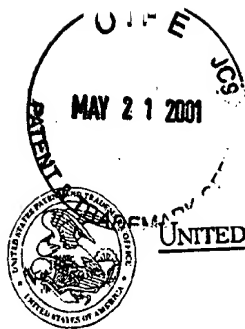
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)**(\$65.00)****SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Cameron A. King	Registration No. (Attorney/Agent)	41,897	Telephone	(415) 268-6524
Signature	<i>Cameron A. King</i>			Date	May 11, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/816,850	03/23/2001	Roger de la Torre	399242000900

CONFIRMATION NO. 6920

FORMALITIES LETTER



OC000000006038615

Cameron A. King
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94501

RECEIVED
MAY 09 2001
MORRISON & FOERSTER

Date Mailed: 05/03/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

05/23/2001 AGOITOM 00000053 09816850

01 FC:205

65.00 OP

Missing Parts - W
DOCKETED *ac* *GAH*

7/3/01

12/3/01-F



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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY